

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

GREG ABBOTT, in his capacity as  
GOVERNOR OF THE STATE OF TEXAS,  
and THE STATE OF TEXAS,

*Defendants.*

Case No. 1:23-cv-00853-DAE

**DECLARATION OF ADRIAN D. CORTEZ IN SUPPORT OF THE UNITED STATES'  
MOTION FOR PROTECTIVE ORDER**

I, Adrian D. Cortez, based on my personal knowledge, do declare as follows:

1. I am a Senior Hydrologist for the United States Section of the International Boundary and Water Commission (USIBWC) where I am a member of the Water Accounting Division of the Operations Department.
2. In this role, I provide USIBWC leadership with technical analyses and opinions regarding matters of operations of the international dams and reservoirs. I also provide technical calculations of water accounting for the Colorado River and the Rio Grande River; study, develop, negotiate, and implement IBWC minutes on the same; develop and analyze basin scale water operations models; and work with technical representatives within the Mexican Section of the IBWC (MXIBWC). My program areas include the international reach of the Rio Grande from Fort Quitman, Texas to the Gulf of Mexico.

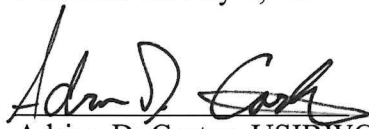
USIBWC's web database includes Daily Rio Grande Flow Conditions, Near Real-time Streamflow data, Weekly 5-Year Cycle Status, as well as Reservoir Reports for Amistad and Falcon dams. The available data includes gage sensor readings, calculated discharge, accumulated precipitation, and daily average Rio Grande flows. The available data sets can date back to the early 1900s, depending on the parameters and location, contain tens of millions of data points, and can be downloaded and exported into various formats including tables and maps.

10. Other of the USIBWC Amended Notice topics—USIBWC Amended Notice ¶¶ 13, 17, 18, 20, 21, 22, 33, 34—seek information that USIBWC does not currently know, possess, compile, monitor, or track in the usual course of its operations. As to USIBWC Amended Notice ¶ 13, USIBWC tracks rainfall at its gages, but does not collect any data on fog or smoke. The rainfall information is available on the publicly available database on USIBWC's website. As to USIBWC Amended Notice ¶ 33, USIBWC does not track and does not have information on the “number, location, condition, details, height, and dimensions of debris in the Rio Grande River between Mile Markers 275.5 and 610.” Except for sending USIBWC employees to physically travel the Rio Grande between Mile Markers 275.5 and 610 for the sole purpose of gathering this information, USIBWC has no way to prepare a witness to testify on this topic.

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Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 2, 2024

  
Adrian D. Cortez, USIBWC  
El Paso, Texas